

CANNON BUILDING
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STATE OF DELAWARE
DEPARTMENT OF STATE

DIVISION OF PROFESSIONAL REGULATION

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MEETING MINUTES:	BOARD OF PROFESSIONAL LAND SURVEYORS
DATE AND TIME:	Thursday, September 15, 2011 at 8:30 a.m.
PLACE:	861 Silver Lake Boulevard, Dover, Delaware Conference Room A , second floor of the Cannon Building
APPROVED:	October 20, 2011

MEMBERS PRESENT

Michael Szymanski, Professional Member, Chair
James Bielicki, Jr., Professional Member, Vice Chair
Thomas Plummer, Professional Member
Laurence McBride, Professional Member
Mark Rosenthal, Public Member

DIVISION STAFF

Frederick Schranck, Deputy Attorney General
Sandra Wagner, Administrative Specialist III
Michele Howard, Administrative Specialist II
Kay Warren, Deputy Director

MEMBERS ABSENT

Elizabeth Rowe, Public Member
Mary Chvostal, Public Member, Secretary

PUBLIC

None

CALL TO ORDER

Mr. Szymanski called the meeting to order at 8:32 a.m.

Review and Approval of Minutes

Mr. McBride made a motion, seconded by Mr. Rosenthal to approve the August 2011 minutes with amendments. The motion was unanimously approved.

Unfinished Business

Review of Mr. Marvel's PDHs

Mr. Plummer made a motion, seconded by Mr. McBride, to approve the PDHs for Mr. Marvel. The motion was unanimously approved.

Update from Mr. Schranck about Proposed Legislation

Mr. Schranck discussed the act to amend Title 25, Chapter 3, in Delaware Code regarding survey requirements for conveyances of real estate.

Mr. Schranck discussed the act to amend Titles 9 and 22 of the Delaware Code regarding the issuance of occupancy permits and survey monumentation.

The Board addressed Ms. Warren. Ms. Warren recommended that the Board invite stakeholders to a meeting to discuss the Board's proposed legislative changes before finalizing the draft. Ms. Warren asked if the amendments would affect the real estate profession. Mr. Szymanski believes the real estate profession may be affected. Ms. Warren recommended that the Board send a letter to invite real estate professionals to a meeting to discuss the Board's proposed changes. Mr. Bielicki suggested that title companies may have an interest as well. Ms. Warren suggested that the Board schedule a special workshop to invite anyone affected by the proposed legislation to discuss the amendments with the Board. Mr. Szymanski recommended that a workshop be scheduled on the same date as the November meeting.

NEW BUSINESS

Courses for Continuing Education Approval

There were no PDHs for review by the Board for September.

Discussion of Expired Licenses- Reapplication/reappy

Mr. Szymanski stated that if a land surveyor allowed his/her Delaware license to lapse and is not licensed in any other state, he/she must reapply for licensure and become an intern per the current law. Mr. Schranck reviewed Section 2711 of the Board's statute and Rule 16.0 for the Board. Mr. Bielicki proposed that the 6-month late renewal period could be changed to one year. The Board unanimously agreed not to change the late renewal period.

Discussion of Distance Education

Mr. Szymanski directed the Board to Rules 10.3.2 and 10.3.2.1. Mr. Szymanski questioned the definition of "distance education". Mr. Schranck reviewed the Rules and clarified the definition for Mr. Szymanski.

Discussion of Letter from Mr. James Collins

The Board reviewed a letter from DPR Director James Collins. Mr. Szymanski asked if the Board should designate a legislative committee. Mr. Schranck recommended that any legislative committee designated by the Board should include both a professional member and a public member. Mr. Rosenthal volunteered to be a member of the legislative committee if needed. Mr. Szymanski will check with the other public members to see if they have any interest in volunteering for the legislative committee.

The Board expressed concern that Ms. Rowe has missed the past three meetings. Ms. Howard reviewed the Board's previous minutes and confirmed that Ms. Rowe was absent from the June and August Board meetings.

Review of Applications for Examination

There were no applications for Examination for review.

Review of Application for Reciprocity

Mr. Bielicki reviewed the application for Mr. William Orsinger. Mr. Bielicki made a motion, seconded by Mr. McBride, to recommend Mr. Orsinger for approval to sit for the exam. The motion was unanimously approved.

Ratification of Issuance of Land Surveying Certificates of Authorization

After discussion, Mr. Rosenthal made a motion, seconded by Mr. McBride, to ratify the application of certificate of authorization for Delaware Valley Data Collection, LLC. The motion was unanimously approved.

Complaint Assignments

There were no new complaint assignments.

Complaint Status

No changes to the complaint status at this time.

Hearings/Consent Agreements/Board Orders

Donald Miller: Mr. Schranck summarized the Board Order for Donald Miller. Ms. Howard distributed copies of the Board Order to all members for review. Mr. Szymanski did not sign the Board Order because he was recused from the hearing as the Board Contact. All other Board members present signed the Order.

Mr. Szymanski questioned the Division's process for assigning complaints to Board members. Mr. Schranck explained the process. Mr. Bielicki stated that he was assigned to a New Castle County complaint.

Bruce McKenna: Mr. Schranck asked the Board to table the Board Order for Bruce McKenna because he is still working on it.

Closed Complaints

None

Wall Certificates

There were no wall certificates to sign for September's meeting.

Audit Compliance Update

There were no updates on the Audit Compliance.

Executive Session

Mr. McBride made a motion, seconded by Mr. Rosenthal to go into Executive Session at 10:31 a.m. to discuss matters involving Regulation 12.0. The motion was unanimously approved. Mr. McBride made a motion, seconded by Mr. Rosenthal, to end Executive Session at 10:45 a.m. The motion was unanimously approved.

OTHER BUSINESS BEFORE THE BOARD (FOR DISCUSSION ONLY)

Mr. Szymanski read aloud a letter from Alan Kent.

Mr. Szymanski stated that he attended the NCEES Conference in Providence, RI. While there, Mr. Szymanski met with Peggy Abshagen of Delaware Association of Professional Engineers. NCEES has zone meetings and an annual meeting. The zone meeting for May will be held in Delaware. Mr. Szymanski offered the Board's assistance with the May zone meeting to be held at Dover Downs. Mr. Szymanski said he told Ms. Abshagen that it would be nice to have more than one representative from the Board at the meeting, but expressed concern about State budgeting. Ms. Abshagen's response was not to worry about the money. Mr. Szymanski asked Board members to consider participating in the zone meeting. Mr. Szymanski would like Ms. Wagner to attend the meeting. He will email Ms. Abshagen's contact information to Ms. Wagner. Starting next Fall the Fundamentals of Survey Exam will become computerized online testing. Regarding the Principles Exam, in the near future, candidates will not be allowed to bring in text book or materials but will be provided with a manual of information that can be used during the exam. Mr. Szymanski asked Board members to encourage anyone working towards licensure to make sure they have an approved calculator for the exam and to become proficient with the calculator prior to the exam.

Mr. Szymanski stated that with the current survey/intern process, supervisors must notify the Board if they are supervising an intern and keep a log of the intern's progress. If a supervisor ceases to supervise the intern, the supervisor must also notify the Board in writing.

PUBLIC COMMENT

There was no public comment.

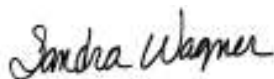
NEXT MEETING

The next scheduled meeting of the board is October 20, 2011 at 8:30 a.m. in Conference Room A, second floor of the Cannon Building, 861 Silver Lake Boulevard, Dover, Delaware.

ADJOURNMENT

There being no further business before the Board, Mr. Rosenthal made a motion, seconded by Mr. McBride, to adjourn the meeting at 11:13 a.m. The motion was unanimously approved.

Respectfully Submitted,



Sandra Wagner
Administrative Specialist III